

June 29, 2012

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
9300 East Hampton Drive
Capitol Heights, MD 20743

Received & Inspected

JUL 02 2012

FCC Mail Room

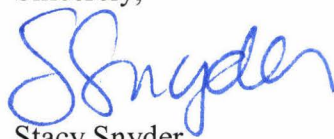
RE: Greenway Communications LLC
FCC 2011 ETC WC Docket No 10-90
For the year ending December 31, 2011

Dear Ms. Dortch:

Enclosed please find reporting requirement pursuant to the FCC 2011 ETC WC Docket No 10-90 for the year ending December 31, 2011, filed on behalf of Greenway Communications LLC.

Questions regarding this filing should be directed to my attention at 641-444-4441. Thank you for your assistance in this matter.

Sincerely,



Stacy Snyder
Secretary

File in Case of Hold
LIST ARCADE

0

CERTIFICATION OF Greenway Communications LLC

STATE OF Iowa

COUNTY OF Wright

I, Joy Fullenkamp, Vice President, Greenway Communications LLC , being of lawful age and duly sworn, depose and state:

Greenway Communications LLC, 359130 , certify that all federal high-cost support provided to Greenway Communications LLC within Iowa was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. In addition, Greenway Communications LLC certifies that it will comply with applicable service quality standards and consumer protection rules, certifies that it is able to maintain a minimum of two hours of backup power to ensure functionality without an external power source, certifies that it is offering a local usage plan comparable to that offered by the ILEC in the relevant service areas, and certifies that it acknowledges that the FCC may require it to provide equal access to long distance carriers in the event that no other eligible carrier is providing equal access within its ETC designated service area. As an eligible telecommunications carrier, Greenway Communications LLC agrees to provide timely responses to Board requests for information related to the status of local voice service markets or facilities.

I further state that I am authorized by Greenway Communications LLC to make this statement.

/s/ Joy Fullenkamp
[authorized officer]

Subscribed and sworn to before me this 29 day of June 2012

/s/ Sally L. Courtney
Notary Public





**Proposed ETC Certification Reporting Form
Section 54.313 Annual Report for 2012 due July 2, 2012
Reporting Period January 1 - December 31, 2011**

Unfilled Requests for Service - 199 IAC 39.5(6). The number of requests for service from potential customers that were unfilled for over five days during the past year.

Number of Requests for Service for Potential Customers that were unfilled during the reporting Period: 0

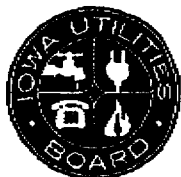
(Please provide an explanation for each unfilled order along with wire center NXX or geographic area description for the reporting period. To add additional rows to a table, press the tab key when in the bottom right table cell.

Requesting Consumer Surname:	NPA-NXX or geographic Location:	Explanation:

Complaints - 199 IAC 39.5(7). The number of complaints per 1000 handsets or lines. ETCs serving fewer than 1000 handsets or lines shall report the actual number of complaints.

Number of Complaints per Thousand Handset or Lines: 0

(If less than 1000 handsets/lines, Please provide information as number of complaints per number of handsets or lines. Complaints are defined as complaints from Iowa customers located within the carrier's Iowa ETC designated area and received by the carrier, regarding the provisioning of the required supported services outlined in Iowa Admin. Code Ch. 39.2(1), or complaints regarding unauthorized changes in service.)



**Proposed ETC Certification Reporting Form
Section 54.313 Annual Report for 2012 due July 2, 2012
Reporting Period January 1 - December 31, 2011**

USAC Study Area Code: 359130
Date: July 02, 2012

Company Name: Greenway Communications LLC Address: 328 E. Main St., Belmond, IA 50421
Contact Person: Stacy Snyder Telephone: 641-444-4441 Fax: 641-444-4442
E-Mail: stacy@gwcisp.com

FCC Outage Reports - 199 IAC 39.5(5). Each ETC shall file copies of all FCC outage reports it filed with the FCC. The copies will be filed as confidential pursuant to the provisions of 199 IAC 1.9(5)"c."

Number of Service Outages Reported to the FCC: 0

(Please file copies of reports filed with the FCC as separate documents in your electronic filing)



2600 Maitland Center Pkwy.
Suite 300
Maitland, FL 32751
P.O. Drawer 200
Winter Park, FL
32790-0200
Tel: 407-740-8575
Fax: 407-740-0613
www.tminc.com

Received & Inspected

JUL 02 2012
FCC Mail Room

June 28, 2012
Via Web Filing
<https://efs.iowa.gov/efs>

Judy Cooper, Executive Secretary
Iowa Utilities Board
135 E. Court Avenue
Des Moines, IA 50319-0669

RE: Iowa Section 54.313 Annual Report for 2012 for
Greenway Communications LLC
Study Area: 359130

Dear Ms. Cooper:

Please find the below documents filed through the Iowa's Electronic Filing System on behalf of Greenway Communications LLC:

Affidavit
Public Section 54.313 Annual Report for 2012 Forms

Please contact me at 407-740-8575, if you have any questions.

Sincerely,

/s/ Alex Fernandez

Compliance Reporting Specialist

cc: - Greenway Communications LLC
file: Greenway Communications LLC - Iowa

IOWA UTILITIES BOARD
Telecommunications Section

Docket No.: FER-2012-0001

Utilities: All ETCs Receiving High-Cost
USF Support

Memo Date: June 8, 2012

TO: The Board

FROM: Michael Balch

SUBJECT: Recommendation to Issue an Informational Order Regarding the
July 2nd Federal ETC Filings

I. Background

In the USF/ICC Transformation Order, the Federal Communications Commission (FCC) adopted new rules at 47 C.F.R. § 54.313 relating to the annual reporting requirements for eligible telecommunication carriers (ETC) receiving high-cost federal USF support.¹ Section 54.313 requires an ETC to file its section 54.313 reports with the FCC, the Universal Service Administrative Company (USAC), and its relevant state commission. The Transformation Order set April 1, 2012, as the initial due date for the new section 54.313 reports.² However, in an Order issued February 3, 2012, the FCC modified certain initial filing deadlines required by section 54.313 as necessary to comply with the federal Paperwork Reduction Act requirements.³ The effect of the February 3, 2012, Order was to delay the 2012 section 54.313 reporting requirements until further notice.

On May 8, 2012, the FCC issued a Public Notice in the Federal Register announcing that a portion of the new section 54.313 annual reporting requirements for ETCs receiving high-cost support had been approved by the Office of Management and Budget (OMB) and are now effective. The Public Notice indicated that the initial filings for ETCs receiving high-cost USF are due July 2, 2012, but the 2012 filings would not include all of the original section 54.313 requirements adopted in the Transformation Order. However, ETCs that were required by their state commissions to collect the following information during 2011 are required to report it in their July 2, 2012, filings

¹ See Report and Order and Further Notice of Proposed Rulemaking, WC Docket No. 10-90, et al., Released November 18, 2011, (Transformation Order). See Transformation Order, Appendix A, Final Rules. "USF" means Universal Service Fund.

² Transformation Order, para. 581.

³ See Order, WC Docket No. 10-90, et al., Released February 3, 2012, para. 1.

- Detailed information regarding 2011 outages of 30 minutes or more, particularly those affecting ten percent or more of the carriers' end users and/or 911 special facilities;
- The number of requests for service that were unfulfilled during 2011, and the ways the carrier attempted to provide service to those potential customers;
- The number of complaints per 1,000 connections received by the carrier during 2011;
- Certification of compliance with applicable service quality standards and consumer protection rules during 2011; and
- Certification that the carrier is able to function in emergency situations.⁴

Finally, on May 14, 2012, the FCC issued its Third Order on Reconsideration relating to the earlier Transformation Order.⁵ That order provided further clarification on the section 54.313 reports to be filed by ETCs on July 2, 2012. Specifically, the Third Order clarified that 47 C.F.R. § 54.313(h) had been amended to require the reporting of "additional voice rate data" only for those incumbent local exchange carriers (ILEC) that receive high-cost support and where their residential rates and fees are below certain rate floors as defined in section 54.318.⁶

II. Legal Standards

47 C.F.R. § 54.313(a)(2) - (6) were approved in the May 8, 2012, Public Notice. These rules pertain to the July 2, 2012, ETC reporting requirements, and provide as follows:

(a) Any recipient of high-cost support shall provide:

(2) Detailed information on any outage in the prior calendar year, as that term is defined in 47 CFR 4.5, of at least 30 minutes in duration for each service area in which an eligible telecommunications carrier is designated for any facilities it owns, operates, leases, or otherwise utilizes that potentially affect

(i) At least ten percent of the end users served in a designated service area; or

⁴ These five information requirements are fully detailed in section 54.313(a)(2) - (6) of the FCC's rules and in the Legal Standards section of this memo.

⁵ See Third Order on Reconsideration, WC Docket No. 10-90, et al, Released May 14, 2012, (Third Order).

⁶ In general, the 2012 section 54.313(h) reporting requirements appear to apply only to those ILECs whose residential rates and fees are below \$10 per month as of June 1, 2012.

(ii) A 911 special facility, as defined in 47 CFR 4.5(e).

(iii) Specifically, the eligible telecommunications carrier's annual report must include information detailing:

- (A) The date and time of onset of the outage;
- (B) A brief description of the outage and its resolution;
- (C) The particular services affected;
- (D) The geographic areas affected by the outage;
- (E) Steps taken to prevent a similar situation in the future;
and
- (F) The number of customers affected.

(3) The number of requests for service from potential customers within the recipient's service areas that were unfulfilled during the prior calendar year. The carrier shall also detail how it attempted to provide service to those potential customers;

(4) The number of complaints per 1,000 connections (fixed or mobile) in the prior calendar year;

(5) Certification that it is complying with applicable service quality standards and consumer protection rules;

(6) Certification that the carrier is able to function in emergency situations as set forth in §54.202(a)(2);

Amended 47 C.F.R. § 54.313(h) appears in The Third Order on Reconsideration and provides as follows:

(h) Additional voice rate data. (1) All incumbent local exchange carrier recipients of high-cost support must report all of their rates for residential local service for all portions of their service area, as well as state fees as defined pursuant to § 54.318(e) of this subpart, to the extent the sum of those rates and fees are below the rate floor as defined in § 54.318 of this subpart, and the number of lines for each rate specified. Carriers shall report lines and rates in effect as of June 1. (2) In addition to the annual filing, local exchange carriers may file updates of their rates for residential local service, as well as state fees as defined pursuant to § 54.318(e) of this subpart, on January 2 of each year. If a local exchange carrier reduces its rates and the sum of the reduced rates and state fees are below the rate floor as defined in § 54.318 of this subpart, the local

exchange carrier shall file such an update. For the update, carriers shall report lines and rates in effect as of December 1.

III. Analysis

As of May 1, 2012, Iowa ETCs were required to file their annual reports pursuant to the Board's rules at 199 IAC 39.5 and 39.6. To some extent, each of the reporting requirements in section 54.313(a)(2) - (6) is similar to what is required by several of Iowa's annual ETC reporting requirements in 199 IAC 39.5 and 39.6. The FCC has indicated that if carriers were not required to collect and report the information in 54.313(a)(2) - (6) to their state commissions in 2011, they do not need to report it in the section 54.313 filings due by July 2nd.

On June 7, 2012, IUB staff spoke to Alexander Minard from the FCC's Wireline Competition Bureau.⁷ Mr. Minard indicated that if Iowa's annual ETC reporting rules require similar information as what is required by section 54.313(a)(2) - (6), then Iowa ETCs should simply refile their 2012 Iowa reports, with the IUB, FCC, and USAC. Any parts of the 2012 Iowa ETC reports not related to the requirements under section 54.313(a)(2) - (6) would not need to be refiled on July 2nd. In addition, Mr. Minard indicated that the "additional voice rate data" would need to be filed by any ILEC that receives high-cost support and where its residential rates and fees are below the rate floors as defined in section 54.318.

Thus, to be compliant with the FCC's July 2nd federal ETC reporting requirements and expectations, staff recommends that the Board issue an informational order advising all ETCs to refile with the IUB, FCC, and USAC their responses to the 2012 ETC reporting requirements found in the Board's rules at:

39.5(5) – FCC outage Reports
39.5(6) – Unfilled service requests
39.5(7) – Complaints per 1000 handsets or lines
39.6(3) – Sworn Affidavit, which addresses compliance with service quality standards and emergency back-up power

Additionally, the "additional voice rate data," pursuant to section 54.313(h) would need to be filed on July 2nd with the IUB, FCC, and USAC only by those ILECs whose residential rates and fees fall below the rate floors defined in section 54.318.

An informational order should also offer guidance on the following issues related to the section 54.313 federal ETC filings:

File Date: The section 54.313 filing must be made no later than July 2, 2012. The Board should indicate that it is unlikely that its staff will be able to process

⁷ Mr. Minard was listed in the May 8, 2012, Public Notice as the contact person for the section 54.313 federal ETC filings.

all the filings arriving on July 2nd. However, all filings filed in the Board's electronic filing system (EFS) prior to 3:30 PM on July 2nd will receive a July 2, 2012, date stamp. Filings that arrive after 3:30 PM on July 2nd will not receive a July 2, 2012, date stamp.

Filing Title: ETCs filing pursuant to this order should title their filings: Section 54.313 Annual Report for 2012. Upon receipt of a filing in EFS, the Board's Records and Information Center will assign each filing an FER docket number.

Confidential Information: If a carrier considers any of the information in a Section 54.313 Annual Report to be confidential, the carrier shall file both a public and confidential version of the material using the Board's EFS according to the Board's rules at 199 IAC 14.2, along with a request for confidential treatment pursuant to 199 IAC 1.9 and Iowa Code § 22.7.

Review of Section 54.313 Annual Reports: The Board's staff intends to commence reviewing the Section 54.313 Annual Reports in early July. Section 54.314 requires the IUB to complete its review of both the Section 54.313 Annual Reports and the Iowa ETC filings required by 199 IAC 39.5 and 39.6 no later than October 1, 2012. By that date the IUB must certify to the FCC and USAC that high-cost USF support has been used and is being used as intended.

Staff Contact for Additional Information: Because ETCs may have additional questions, the Board should provide the following staff contact in its informational order:

Jim Langenberg
Utility Analyst, Telecommunications Section
515-725-7327
jim.langenberg@iub.iowa.gov

IV. Recommendation

The Board should issue the attached informational order regarding the 2012 Section 54.313 Annual Reports. The order should be forwarded to all ETCs in Iowa, Iowa telephone associations, and known consultants.

/mb

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: FEDERAL ETC SECTION 54.313 ANNUAL REPORTS	DOCKET NO. FER-2012-0001
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ORDER REGARDING JULY 2, 2012, FEDERAL ETC FILINGS

(Issued June 11, 2012)

I. BACKGROUND

On November 18, 2011, the Federal Communications Commission (FCC) released a comprehensive order reforming the federal Universal Service Fund (USF) and intercarrier compensation system (Transformation Order).¹ In the Transformation Order, the FCC adopted new rules at 47 C.F.R. § 54.313 relating to the annual reporting requirements for eligible telecommunication carriers (ETCs) receiving high-cost federal USF support. (Transformation Order, Appendix A.) Section 54.313 requires an ETC to file its Section 54.313 reports with the FCC, the Universal Service Administrative Company (USAC), and its relevant state commission. The Transformation Order set April 1, 2012, as the initial due date for the new Section 54.313 reports (Transformation Order, ¶ 581), but in a subsequent order issued on February 3, 2012, the FCC modified certain Section 54.313 filing

¹ See *Connect America Fund, et al.*, WC Docket No. 10-90 et al., "Report and Order and Further Notice of Proposed Rulemaking," FCC 11-161 (Rel. Nov. 18, 2011).

deadlines to comply with the requirements of the federal Paperwork Reduction Act.² The effect of the February 3, 2012, order was to delay the 2012 Section 54.313 reporting requirement until further notice.

On May 8, 2012, the FCC issued a Public Notice in the Federal Register announcing May 8, 2012, as the applicability date for certain provisions of Section 54.313 and notifying ETCs and other stakeholders that information filed pursuant to §§ 54.313(a)(2) through (a)(6) and (h) must be filed by July 2, 2012.

Thus, the applicable FCC rules now in effect require ETCs that were required by their respective state regulatory commissions to collect the following information during 2011 to report it in their July 2, 2012, filings:

- Detailed information regarding 2011 outages of 30 minutes or more, particularly those affecting 10 percent or more of the carrier's end users and/or 911 special facilities;
- The number of requests for service that were unfulfilled during 2011 and the ways the carrier attempted to provide service to those potential customers;
- The number of complaints per 1,000 connections received by the carrier during 2011;
- Certification of compliance with applicable service quality standards and consumer protection rules during 2011; and
- Certification that the carrier is able to function in emergency situations.

The five items listed above are required by 47 C.F.R. §§ 54.313(a)(2) through (a)(6), which were approved in the May 8, 2012, Public Notice.

² See *Connect America Fund, et al.*, "Order," ¶ 1, WC Docket No. 10-90 et al. (Rel. February 3, 2012).

Also, on May 14, 2012, the FCC issued its Third Order on Reconsideration relating to the Transformation Order.³ The Third Order provided further clarification on the § 54.313 reports to be filed by ETCs on July 2, 2012. Specifically, the Third Order clarifies that 47 C.F.R. § 54.313(h) has been amended to require the reporting of "additional voice rate data" only for those incumbent local exchange carriers (ILECs) that receive high-cost support and where their residential rates and fees are below certain rate floors as defined in § 54.318. Generally, the § 54.313(h) reporting requirements for 2012 appear to apply only to those ILECs whose residential rates and fees are below \$10 per month as of June 1, 2012. 47 C.F.R. § 54.313(h) as amended appears in the Third Order and provides as follows:

(h) Additional voice rate data. (1) All incumbent local exchange carrier recipients of high-cost support must report all of their rates for residential local service for all portions of their service area, as well as state fees as defined pursuant to § 54.318(e) of this subpart, to the extent the sum of those rates and fees are below the rate floor as defined in § 54.318 of this subpart, and the number of lines for each rate specified. Carriers shall report lines and rates in effect as of June 1. (2) In addition to the annual filing, local exchange carriers may file updates of their rates for residential local service, as well as state fees as defined pursuant to § 54.318(e) of this subpart, on January 2 of each year. If a local exchange carrier reduces its rates and the sum of the reduced rates and state fees are below the rate floor as defined in § 54.318 of this subpart, the local exchange carrier shall file such an update. For the update, carriers shall report lines and rates in effect as of December 1.

³ See *Connect America Fund, et al.*, WC Docket No. 10-90 et al., "Third Order on Reconsideration," (Rel. May 14, 2012) (Third Order).

II. DISCUSSION

The FCC has indicated that if carriers were not required by the applicable state regulatory authority to collect and report the information described in 47 C.F.R. §§ 54.313(a)(2) through (6) for calendar year 2011, they do not need to report it in their § 54.313 filings due by July 2, 2012. However, if the state regulatory authority requires collecting and reporting the information, then it must also be included in the reports filed with the FCC. Each of the reporting requirements in §§ 54.313(a)(2) through (6) is similar to what is required by several of Iowa's annual ETC reporting requirements in 199 IAC 39.5 and 39.6. The Iowa reports for 2011 were filed on May 1, 2012.

On June 7, 2012, Board staff spoke to Mr. Alexander Minard from the FCC's Wireline Competition Bureau. Mr. Minard is listed in the May 8, 2012, Public Notice as the contact person for questions about the § 54.313 federal ETC filings. Mr. Minard indicated that if Iowa's annual ETC reporting rules require information that is similar to what is required by §§ 54.313(a)(2) through (6), Iowa ETCs should simply file their 2012 Iowa reports with the FCC and USAC (and re-file them with the Board). Any parts of the 2012 Iowa ETC reports not related to the requirements under §§ 54.313(a)(2) through (6) would not need to be filed on July 2nd. Also, Mr. Minard indicated that the "additional voice rate data" would need to be filed by any ILEC that receives high-cost support and has residential rates and fees that are below the rate floors as defined in § 54.318.

To ensure that Iowa ETCs will be in compliance with the FCC's July 2, 2012, federal ETC reporting requirements and expectations, the Board is issuing this informational order advising all Iowa ETCs to refile with the Board their responses to the 2012 ETC reporting requirements⁴ and to file those reports with the FCC and USAC. Additionally, the "additional voice rate data" required pursuant to § 54.313(h) must be filed on July 2, 2012, with the Board, FCC, and USAC only by ILECs with residential rates and fees that are below the rate floors defined in section 54.318. The Board offers guidance on the following issues associated with the upcoming § 54.313 federal ETC filings.

1. Filing Date

The § 54.313 filing must be made no later than July 2, 2012. Due to the anticipated volume of filings, it is not likely that the Board's Records and Information Center staff will be able to process all the filings arriving on that date. However, all reports filed in the Board's electronic filing system (EFS) prior to 3:30 PM on that date will receive a July 2, 2012, date stamp. Filings that arrive after 3:30 PM may not receive a July 2, 2012, date stamp. 199 IAC 14.9.

⁴ For purposes of this order, the relevant Iowa reporting requirements are found in the Board's rules at 199 IAC 39.5(5) – FCC outage Reports; 39.5(6) – Unfilled service requests; 39.5(7) – Complaints per 1000 handsets or lines; and 39.6(3) – Sworn Affidavit, which addresses compliance with service quality standards and emergency back-up power.

2. Filing Title

ETCs that file reports pursuant to this order should title their filings as follows: "Section 54.313 Annual Report for 2012." The Board's Records and Information Center will assign each filing an FER docket number.

3. Confidential Information

If a carrier considers any of the information in a § 54.313 Annual Report to be confidential, the carrier shall file both a public and confidential version of the material using the Board's EFS according to the Board's rules at 199 IAC 14.2, along with a request for confidential treatment pursuant to 199 IAC 1.9 and Iowa Code § 22.7.

4. Review of § 54.313 Annual Reports

The Board anticipates that its staff will commence reviewing the § 54.313 Annual Reports in early July. Section 54.314 requires the Board to complete its review of both the § 54.313 Annual Reports and the Iowa ETC filings required by 199 IAC 39.5 and 39.6 no later than October 1, 2012. By that date the Board must certify to the FCC and USAC that high-cost USF support has been used and is being used as intended.

5. Staff Contact for Additional Information

Questions about this order may be directed to:

Jim Langenberg
Utility Analyst, Telecommunications Section
515-725-7327
jim.langenberg@iub.iowa.gov

III. ORDERING CLAUSE

IT IS THEREFORE ORDERED:

1. On or before July 2, 2012, eligible telecommunications carriers receiving federal high-cost support shall refile their 2012 Iowa ETC reports with the Utilities Board according to the instructions contained in this order and file those reports with the Federal Communications Commission and the Universal Service Administrative Company.
2. Eligible telecommunications carriers receiving federal high-cost support that are incumbent local exchange carriers with residential rates and fees that are below the rate floors defined in 47 C.F.R. § 54.318 shall include the additional voice rate data required by 47 C.F.R. § 54.313(h) in their refiled 2012 Iowa ETC reports and their July 2, 2012, reports to the Federal Communications Commission and Universal Service Administrative Company.

UTILITIES BOARD

/s/ Elizabeth S. Jacobs

/s/ Darrell Hanson

ATTEST:

/s/ Joan Conrad
Executive Secretary

/s/ Swati A. Dandekar

Dated at Des Moines, Iowa, this 11th day of June 2012.

Name of Report: IA Section 54.313 Annual Report for 2012 (due 7/2/2012)

**INDUSTRY ASSUMPTIONS AND NOTES
USED ON THIS REPORT**

- ☐ Underlying Carrier Costs (60%)
- ☐ Written Off Bad Debt (0.0%)
- ☐ MOU (8 times revenue)
- ☐ Number of Calls (MOU divided by 10)
- ☐ Possible Penalty:
- ☐ Other: Explain - _____

**INFORMATION NEEDED FROM CLIENT
IN ORDER TO COMPLETE THIS REPORT**

- ☒ Please review and complete this report.
- ☐
- ☐
- ☐